

**TOWNSHIP COMMITTEE WORKSHOP MEETING – SEPTEMBER 10, 2018 – 6:00 P.M.**

Mayor Williams calls the workshop meeting to order at 6:00 p.m. and asks the Clerk to call the roll:

ROLL CALL

PRESENT/ABSENT

Dr. Michael Brantley  
Robert Lane, Jr.  
Kevin B. McMillan  
Carol Rizzo  
Nicholas Williams

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Also present: Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; and Pamela D. Howard, Deputy Municipal Clerk.

Mayor Williams announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 4, 2018, posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk.

ITEMS FOR DISCUSSION IN OPEN SESSION

1. Discussion – Monmouth County Open Space grant.
  
  
  
  
  
  
  
  
  
  
2. Review Committee calendars/update on outstanding issues and capital items.  
- Various on-going capital improvement projects.
  
  
  
  
  
  
  
  
  
  
3. Discussion – Proposed amendments to the Harbor Utility.

Res. # 18-292 – Authorize an Executive Session as authorized by the Open Public Meetings Act.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

RESOLUTION #18-292 – 9/10/18

AUTHORIZE AN EXECUTIVE SESSION AS AUTHORIZED BY  
THE OPEN PUBLIC MEETINGS ACT

WHEREAS, Section 8 of the Open Public Meetings Act, Chapter 231, P.L. 1975, permits the exclusion of the public from a meeting in certain circumstances; and,

WHEREAS, this public body is of the opinion that such circumstances presently exist,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.

2. The general nature of the subject matter to be discussed is as follows:

Contract negotiations – Ted Wardell present to discuss insurance coverages

Potential Litigation – Clinton Avenue pumping station

Real Estate negotiations – VFW property on Corlies Avenue

Personnel – Appointment to Wesley Lake Commission

3. It is anticipated at this time that the above stated subject matters will be made public when matters are resolved.

4. This Resolution shall take effect immediately.

**TOWNSHIP COMMITTEE MEETING – SEPTEMBER 10, 2018 – 7:00 P.M.**

Mayor Williams calls the meeting to order and asks the Deputy Clerk to call the roll:

**ROLL CALL**

**PRESENT/ABSENT**

Dr. Michael Brantley  
Robert Lane, Jr.  
Kevin B. McMillan  
Carol Rizzo  
Nicholas Williams

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Also present at the dais: Vito D. Gadaleta, Business Administrator; Gene Anthony, Township Attorney; and Pamela D. Howard, Deputy Municipal Clerk.

Silent Prayer and Flag Salute

The Deputy Clerk states, "Fire exits are located in the rear of the room and to my right. In the event of a fire, you will be notified by fire alarm and/or public address system, then proceed to the nearest smoke-free exit."

Mayor Williams announces that the notice requirements of R.S. 10:4-18 have been satisfied by the publication of the required advertisement in The Coaster and the Asbury Park Press on January 4, 2018 posting the notice on the Board in the Municipal Complex, and filing a copy of said notice with the Municipal Clerk. In addition, the meeting agenda, resolutions and ordinances are posted online at [www.neptunetownship.org](http://www.neptunetownship.org).

**APPROVAL OF MINUTES** - Motion offered by \_\_\_\_\_, seconded by \_\_\_\_\_, to approve the minutes of the meeting held on August 13th.

**PROCLAMATIONS – CHILDHOOD CANCER AWARENESS MONTH AND PATRIOTS WEEK**

The Mayor will present proclamations designating the month of September as Childhood Cancer Awareness Month and the week of September 10<sup>th</sup> as Patriots Week in the Township of Neptune

**COMMENTS FROM THE DAIS** - Comments from the Dais regarding business on this agenda or any reports on recent events in their respective departments.

**PUBLIC HEARING – APPLICATION TO MONMOUTH COUNTY MUNICIPAL OPEN SPACE PROGRAM**

The Township Engineer will make a presentation followed by a Public Hearing regarding the Township's proposed application to the Monmouth County Municipal Open Space Program for "Multi-Purpose Field and Welsh Farms".

Res. # 18-293 – Authorize application to the Monmouth County Municipal Open Space Program.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_

Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

**PUBLIC COMMENTS ON RESOLUTIONS** - Public comments regarding resolutions presented on this agenda only. The public will be permitted one visit to the microphone with a limit of five minutes.

**ORDINANCES** - For each ordinance with a public hearing, the public is permitted one visit to the microphone with a limit of five minutes.

**ORDINANCE NO. 18-28** – An ordinance to amend Volume I, Chapter VII of the Code of the Township of Neptune by adding resident only handicapped parking zones on Beach Avenue, Pilgrim Pathway and Franklin Avenue - Final Reading

*Explanatory Statement: This ordinance authorizes a resident only handicapped parking zone in front of 16 Lake Avenue, 22 Arlington Court, and 141 Franklin Avenue.*

Public Hearing:

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

**ORDINANCE NO. 18-29** – An ordinance vacating a portion of South Riverside Drive in the Township of Neptune - First Reading

*Explanatory Statement: This ordinance vacates a portion of the South Riverside Drive right-of-way adjacent to the Municipal Marina for the purpose of constructing a Green Acres funded walkway along the marina property.*

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

The Public Hearing on Ordinance 18-29 will be held on Monday, September 24, 2018.

### **CONSENT AGENDA**

Res. # 18-294 – Place lien on various properties.

Res. # 18-295 – Accept the resignation of Sean Areia as Assistant Engineer.

Res. # 18-296 – Accept the resignation of Julie Soleil as a member of the Environmental/Shade Tree Commission.

Res. # 18-297 – Authorize the execution of a Commodity Resale Agreement with the County of Monmouth.

Res. # 18-298 – Authorize the execution of a Shared Services Agreement with the County of Monmouth for various public works services on an as-needed basis.

Res. # 18-299 – Appoint School Crossing Guards for the 2018-2019 school year.

Res. # 18-300 – Reappoint Special Law Enforcement Officers in the Police Department on a part-time basis.

Res. # 18-301 – Renew liquor license held by VPK, Inc. t/a Alpha Liquors for the 2018-2019 licensing year.

Res. # 18-302 – Approve the transfer of Taxi Medallion License No. 033.

Res. # 18-303 – Authorize Change Order #2 (final) in connection with the Municipal Complex roof project.

Res. # 18-304 – Support left turn prohibitions at intersections of Route 33 and Stanley Avenue and Route 33 and Davis Avenue as approved by New Jersey Department of Transportation street intersection permits.

Res. # 18-305 – Authorize Change Order #1 in connection with the Tremont Drive force main replacement project.

Res. # 18-306 – Authorize Change Order #1 in connection with improvements to Loffredo Field.

Res. # 18-307 – Accept the resignation of Blake Ahern as a Drive in the Public Works Department.

Res. # 18-308 – Approve the transfer of Taxi Medallion License No. 007.

Res. # 18-309 – Approve the transfer of Taxi Medallion License No. 011.

Res. # 18-310 – Employ temporary seasonal personnel in the Department of Public Works.

Res. # 18-311 – Appoint alternate member to the Wesley Lake Commission.

Res. # 18-312 – Employ on-call part-time Yard Attendants in the Department of Public Works.

Res. # 18-313 – Authorize Subordination, Attornment, and Non-Disturbance Agreement between Neptune Township and the State of New Jersey.

Res. # 18-314 – Authorize the execution of an agreement with the Passaic Valley Sewerage Commission to participate in the North Jersey Wastewater Cooperative Pricing System.

Res. # 18-315 – Authorize the purchase of a Ford Police Interceptor SUV through the Cranford Cooperative Purchasing Program.

Res. # 18-316 – Authorize the upfit of three Ford Police Interceptors through the State Cooperative Purchasing Program.

Res. # 18-317 – Authorize the purchase of ammunition supplies through the State Cooperative Purchasing Program.

Res. # 18-318 – Authorize the purchase and installation of fencing at the Loffredo Field Complex through the State Cooperative Purchasing Program.

Res. # 18-319 – Authorize the purchase of APX mobile radios through the State Cooperative Purchasing Program.

Res. # 18-320 – Authorize the purchase of Harris multi-band portable radios and portable packages through the State Cooperative Purchasing Program.

Res. # 18-321 – Authorize the purchase of a First Defender Chemical Identification System through the State Cooperative Purchasing Program.

Res. # 18-322– Authorize an amendment to the 2018 municipal budget to realize monies from the New Jersey Department of Environmental Protection – Clean Communities Program.

Res. # 18-323– Authorize appeal of Superior Court of New Jersey decision on legal fees concerning Elena Gonzalez.

Res. # 18-324 – Authorize appeal of Superior Court of New Jersey decision on legal fees concerning Brian Butch Opra request.

**CONSENT AGENDA** Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

Res. # 18-325 – Authorize the payment of bills.

Offered by: \_\_\_\_\_ Seconded by: \_\_\_\_\_  
Vote: Brantley, \_\_\_\_\_; Lane, \_\_\_\_\_; McMillan, \_\_\_\_\_; Rizzo, \_\_\_\_\_; Williams, \_\_\_\_\_.

**PRIVILEGE OF THE FLOOR/PUBLIC COMMENTS**

Members of the public may address any concern relating to the Township. The public will be permitted one visit to the microphone with a limit of five minutes.

**ADJOURNMENT**

ORDINANCE NO. 18-29

AN ORDINANCE VACATING A PORTION OF SOUTH RIVERSIDE DRIVE IN THE TOWNSHIP OF NEPTUNE

WHEREAS, a grant was received by Neptune Township by NJDEP Green Acres in order to construct a walkway along the South River Marina Property of Neptune Township; and

WHEREAS, a walkway along the Shark River Marina Property would be most beneficial for the Township of Neptune and the citizen of Neptune, and the best location to construct said walkway is along the edge of the South River Marina Property where the property meets South River Drive, which presently is a municipal public right-of-way; and

WHEREAS, it would be beneficial and necessary in receiving grant monies to vacate a portion of the right-of-way from Neptune Township to the adjoining South River Marina Property; subject to any approvals necessary by the property owner to construct such walkway.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey as follows:

1. The portion of municipal right-of-way at South Riverside Drive adjacent to Block 5322, Lot 1 in the Township of Neptune, County of Monmouth and State of New Jersey as more particularly described in a metes and bounds description and a map prepared by Peter R. Avakian, P.E., P.L.S., P.P., dated September 4, 2018 respectively and attached hereto and made a part hereof as Exhibit A and B respectively; be and the same are hereby vacated and all public rights therein extinguished and therefore conveyed to Block 522, Lot 1 as the adjacent property owner.
2. The portion of municipal right-of-way at South Riverside Drive adjacent to Block 5322, Lot 2 in the Township of Neptune, County of Monmouth and State of New Jersey as more particularly described in a metes and bounds description and a map prepared by Peter R. Avakian, P.E., P.L.S., P.P., dated September 4, 2018 respectively and attached hereto and made a part hereof as Exhibit C and D respectively; be and the same are hereby vacated and all public rights therein extinguished and therefore conveyed to Block 522, Lot 1 as the adjacent property owner.
3. The portion of municipal right-of-way at South Riverside Drive adjacent to Block 5322, Lot 3 in the Township of Neptune, County of Monmouth and State of New Jersey as more particularly described in a metes and bounds description and a map prepared by Peter R. Avakian, P.E., P.L.S., P.P., dated September 4, 2018 respectively and attached hereto and made a part hereof as Exhibit E and F respectively; be and the same are hereby vacated and all public rights therein extinguished and therefore conveyed to Block 522, Lot 1 as the adjacent property owner
4. The Township of Neptune further reserves for the benefit of public utility companies and any acting sewerage authority and any cable television

company the right to maintain, repair and replace utilities or facilities installed by them in, adjacent to, over or through the aforesaid lands.

5. The Township of Neptune, for itself, its successors or assigns, reserves onto itself the right to construct a sidewalk in the vacated properties and the right to construct, install, build, operate, maintain, use, repair, replace and relocate such public utilities and cable television facilities, within the described premises, which it may, at any time hereafter, deem necessary for the public health, safety, convenience and welfare, and the Township of Neptune shall further reserve onto itself the right to use, maintain, repair, replace and relocate all existing utilities and cable television facilities owned or controlled by it, located on or adjacent to, upon or through said lands, and further reserves onto itself an easement over, under, through and across the portion of lands described in Exhibits A through F as may be necessary or expedient for the purpose of maintaining, replacing, relocating, installing, levelling, constructing, repairing utilities, mains and appurtenances, if any, whenever there exists pipeline or appurtenances thereto beneath the surface of the aforesaid described lands, whether the same be owned by the Township of Neptune or the Neptune Township Sewerage Authority or public utility company.

BE IT FURTHER RESOLVED, that the Township of Neptune Municipal Clerk shall file the within Ordinance within sixty (60) days of the Ordinance becoming effective by certified copy with the Clerk of Monmouth County under the index known as "Vacations".

BE IT FURTHER RESOLVED, that all ordinances or parts of ordinances inconsistent herewith are hereby repealed as to such inconsistency only.

BE IT FURTHER RESOLVED, that this Ordinance shall take affect after final passage and publication as provided by law.

APPROVED ON FIRST READING:

APPROVED, PASSED, AND ADOPTED:

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Richard J. Cuttrell,  
Municipal Clerk

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Nicholas Williams,  
Mayor



LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1963-2004)  
PETER R. AVAKIAN, P.E., P.L.S., P.P.  
MEHRYAR SHAFAI, P.E., P.P.  
GREGORY S. BLASH, P.E., P.P.  
LOUIS J. LOBOSCO, P.E., P.P.  
GERALD J. FREDA, P.E., P.P.  
WILLIAM D. PECK, P.E., P.P.  
RICHARD PICATAGI, L.L.A., P.P.  
JENNIFER C. BEAHM, P.P., AICP  
HELEN ZINCAVAGE, P.P., AICP

**DEED DESCRIPTION  
PROJECT NO. 1335-10-027  
PORTION OF SOUTH RIVERSIDE DRIVE  
TO BE COVEYED TO BLOCK 5322 LOT 1  
TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, NJ**

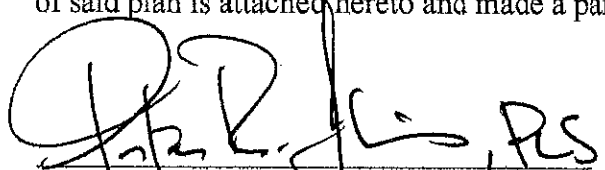
All that certain tract or parcel of land located adjacent to Block 5322 Lot 1 in the Township of Neptune, County of Monmouth, New Jersey, bounded and described as follows:

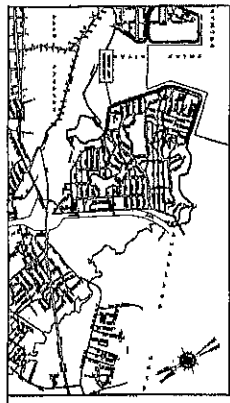
Beginning at the intersection of the northeasterly right-of-way line of South Riverside Drive (60' wide R.O.W.), and the intersection of the northerly property line of lot 2 in block 5322, said point being the point and Place of Beginning, said point having the 1983 NAD coordinates of N496,021.53 E620,859.75, and running thence;

1. Northwesterly on a course of N84°05'00"W to a point in the right-of-way of South Riverside Drive a distance of 12.00' and running thence;
2. Northeasterly on a course of N05°55'00"E a distance of 116.18' to a point, and running thence;
3. Northeasterly on a curve to the left having a radius of 609.88' and an arc distance of 25.04' to a point, and running thence;
4. Northeasterly on a course of N84°05'00"E to a point in the northeasterly right-of-way line of South Riverside Drive a distance of 13.37' and running thence;
5. Southwesterly along the northeasterly right-of-way line of south Riverside Drive on a course of S05°55'00"W a distance of 141.18' to a point, said point being the POINT AND PLACE OF BEGINNING.

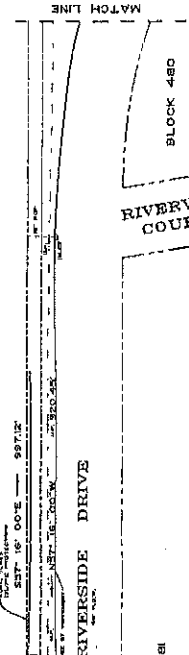
Total area of tract Containing 1,715,407 S.F. or 0.039 Acres.

The above description was written pursuant to a plan entitled "Conveyance Of A Portion Of South Riverside Drive To Lot 1 Block 5322 in the Township of Neptune, Monmouth County, NJ". Said plan was prepared by Leon S. Avakian, Inc., 788 Wayside Road, Neptune, New Jersey, 07753, dated September 4, 2018, and is marked as file No. NT-17-04. A reduced copy of said plan is attached hereto and made a part hereof.

  
Peter R. Avakian, P.E., P.L.S., P.P.  
NJ License No. 28142



KEY MAP  
NO SCALE



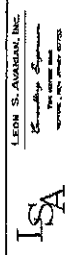
CONTINGENT AREA OF LOT 1 BLOCK 482  
 27,907.022 SQ. FT. (0.636 AC.)  
 AREA OF SOUTH RIVERSIDE DRIVE TO BE  
 DEDICATED TO LOT 1 BLOCK 482  
 17,072.111 SQ. FT. (0.390 AC.)  
 TOTAL AREA OF PROPOSED LOT 1 BLOCK 482  
 34,979.133 SQ. FT. (0.804 AC.)

CONVEYANCES

DESCRIPTION	DATE	BY	FOR
...	...	...	...

SUBJECT MATTER

1. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
2. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
3. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
4. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
5. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
6. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
7. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
8. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
9. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...
10. A certain lot of land in Block 482, Township of Neptune, Monmouth County, New Jersey...



LEON S. AVAKIAN, INC.  
 Engineering & Surveying  
 1000 ROUTE 100  
 SUITE 100  
 WESTFIELD, NJ 07090  
 TEL: 908-734-1111  
 FAX: 908-734-1112  
 PETER B. AVAKIAN, P.E., P.L.S.  
 PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 28442

TOWNSHIP OF NEPTUNE  
 CONVEYANCE OF A PORTION OF  
 SOUTH RIVERSIDE DRIVE  
 TO LOT 1 BLOCK 482  
 IN THE  
 TOWNSHIP OF NEPTUNE, MON. CO., NJ

DATE: 9-11-18  
 DRAWN BY: [Signature]  
 CHECKED: [Signature]  
 SCALE: AS SHOWN  
 SHEET: 1 OF 2



EXHIBIT B

LEON S. AVAKIAN, INC. *Consulting Engineers*

788 WAYSIDE ROAD • NEPTUNE, NEW JERSEY 07753

LEON S. AVAKIAN, P.E., P.L.S. (1963-2004)  
PETER R. AVAKIAN, P.E., P.L.S., P.P.  
MEHRYAR SHAFAI, P.E., P.P.  
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GERALD J. FREDA, P.E., P.P.  
WILLIAM D. PECK, P.E., P.P.  
RICHARD PICATAGI, L.L.A., P.P.  
JENNIFER C. BEAHM, P.P., AICP  
HELEN ZINCAVAGE, P.P., AICP

**DEED DESCRIPTION  
PROJECT NO. 1335-10-027  
PORTION OF SOUTH RIVERSIDE DRIVE  
TO BE COVEYED TO BLOCK 5322 LOT 2  
TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, NJ**

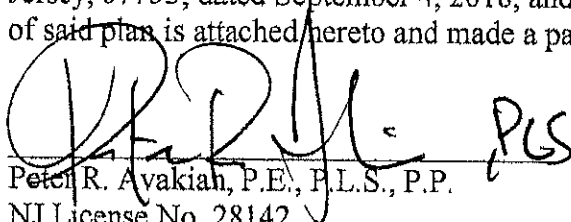
All that certain tract or parcel of land located adjacent to Block 5322 Lot 2 in the Township of Neptune, County of Monmouth, New Jersey, bounded and described as follows:

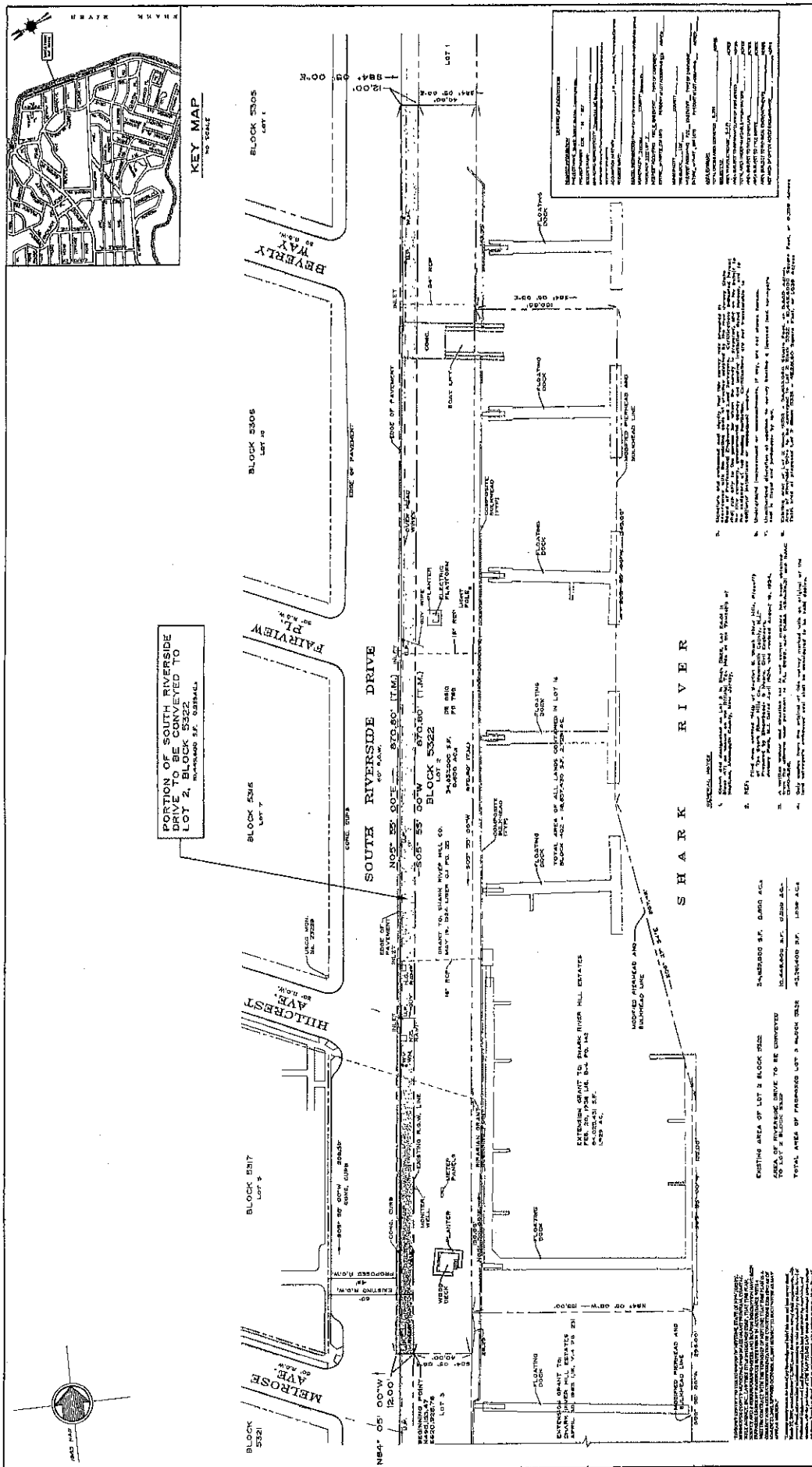
Beginning at the intersection of the easterly right-of-way line of South Riverside Drive (60' wide R.O.W.), and the intersection of the northerly property line of lot 3 in block 5322, said point being the point and Place of Beginning, said point having the 1983 NAD coordinates of N495,153.47 E620,928.78, and running thence;

1. Northwesterly on a course of N84°05'00"W to a point in the right-of-way of South Riverside Drive a distance of 12.00' and running thence;
2. Northeasterly on a course of N05°55'00"E a distance of 870.80' to a point, and running thence;
3. Southeasterly on a course of S84°05'00"E to a point in the westerly right-of-way line of South Riverside Drive a distance of 12.00' and running thence;
4. Southwesterly along the westerly right-of-way line of South Riverside Drive on a course of S05°55'00"W a distance of 870.80' to a point, said point being the POINT AND PLACE OF BEGINNING.

Total area of tract Containing 10,449.600 S.F. or 0.239 Acres.

The above description was written pursuant to a plan entitled "Conveyance Of A Portion Of South Riverside Drive To Lot 2 Block 5322 in the Township of Neptune, Monmouth County, NJ". Said plan was prepared by Leon S. Avakian, Inc., 788 Wayside Road, Neptune, New Jersey, 07753, dated September 4, 2018, and is marked as file No. NT-17-04. A reduced copy of said plan is attached hereto and made a part hereof.

  
Peter R. Avakian, P.E., P.L.S., P.P.  
NJ License No. 28142



PORTION OF SOUTH RIVERSIDE DRIVE TO BE CONVEYED TO LOT 2, BLOCK 5322

EXISTING DRIVE TO BE CONVEYED TO LOT 2, BLOCK 5322

CONCRETE TRENCH UNASSIGNED HYDRANT

SHARK RIVER

UNASSIGNED HYDRANT

EXISTING DRIVE TO BE CONVEYED TO LOT 2, BLOCK 5322

REVISIONS

Table with 3 columns: NO., DATE, DESCRIPTION. It lists several revisions to the plan, with the final revision on 7/10/98 by J.P.C. regarding the addition of Lot 2 to Block 5322.

TOWNSHIP OF NEPTUNE

CONVEYANCE OF A PORTION OF SOUTH RIVERSIDE DRIVE TO LOT 2, BLOCK 5322

LEON S. AVAKIAN, INC. Planning Engineers

PETER AVAKIAN, P.E., B.P.L.S. PROFESSIONAL ENGINEER & LAND SURVEYOR

EXHIBIT D

**DEED DESCRIPTION  
PROJECT NO. 1335-10-027  
PORTION OF SOUTH RIVERSIDE DRIVE  
TO BE COVEYED TO BLOCK 5322 LOT 3  
TOWNSHIP OF NEPTUNE  
MONMOUTH COUNTY, NJ**

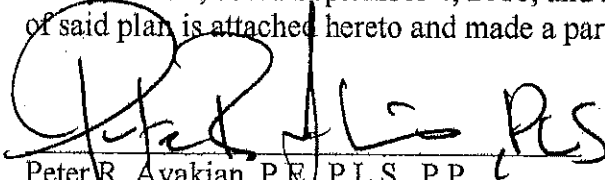
All that certain tract or parcel of land located adjacent to Block 5322 Lot 3 in the Township of Neptune, County of Monmouth, New Jersey, bounded and described as follows:

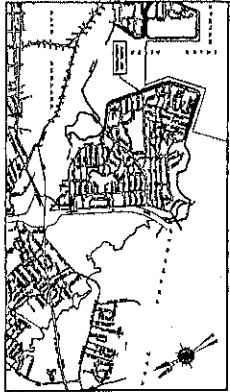
Beginning at the intersection of the easterly right-of-way line of South Riverside Drive (60' wide R.O.W.), and the 40.00' extension of the southerly line of "Extension Grant to Shark River Hills Estates, April 30, 1963 Lib. Y-4 Pg. 231", said point being the point and Place of Beginning, said point having the 1983 NAD coordinates of N494,643.19 E621,010.33 and running thence;

1. Northwesterly on a course of N84°05'00"W to a point in the right-of-way of South Riverside Drive a distance of 12.00' and running thence;
2. Northeasterly on a course of N05°55'00"E a distance of 515.13' to a point and running thence;
3. Southeasterly on a course of S84°05'00"E to a point in the easterly right-of-way line of South Riverside Drive a distance of 12.00' and running thence;
4. Southwesterly on a course of S05°55'00"W along the westerly right-of-way line of South Riverside Drive a distance of 515.13' to a point, said point being the POINT AND PLACE OF BEGINNING.

Total area of tract Containing 6,181,560 S.F. or 0.141 Acres.

The above description was written pursuant to a plan entitled "Conveyance of a Portion of South Riverside Drive to Lot 3 Block 5322 in the Township of Neptune, Monmouth County, NJ". Said plan was prepared by Leon S. Avakian, Inc., 788 Wayside Road, Neptune, New Jersey 07753, dated September 4, 2018, and is marked as file No. NT-17-04. A reduced copy of said plan is attached hereto and made a part hereof.

  
Peter R. Avakian, P.E., P.L.S., P.P.  
NJ License No. 28142

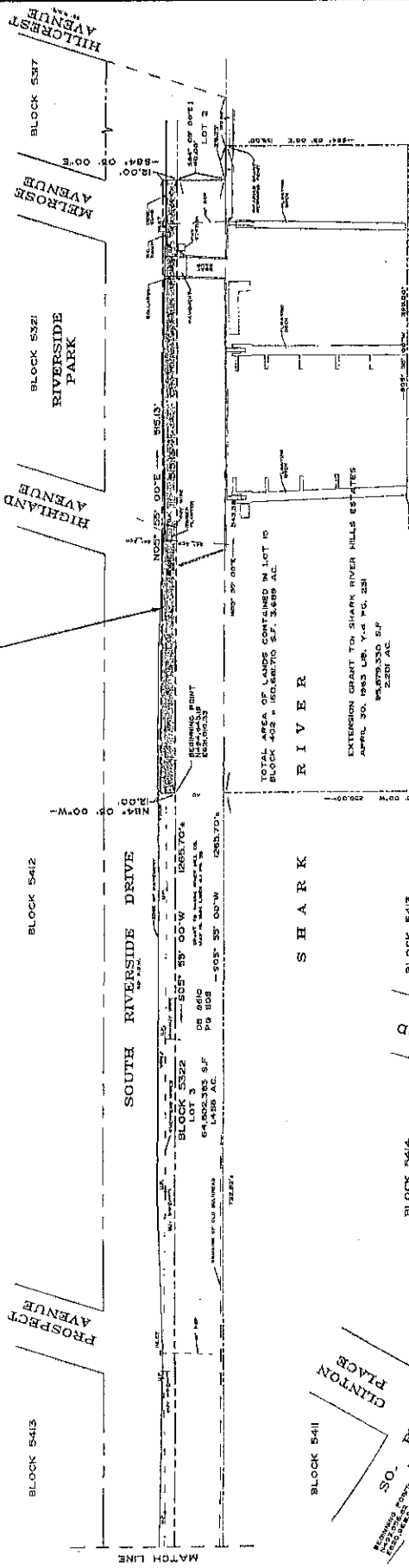


KEY MAP  
TO BLOCK

EXISTING AREA OF LOT 2 BLOCK 5322  
 AREA OF PROPOSED DRIVE TO BE CONVEYED  
 TO LOT 3 BLOCK 5322  
 TOTAL AREA OF PROPOSED LOT 3 BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

PORTION OF SOUTH RIVERSIDE DRIVE  
 TO BE CONVEYED TO  
 LOT 3, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

1. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
2. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
3. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
4. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
5. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
6. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
7. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
8. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
9. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.
10. The area of the proposed Lot 3, Block 5322, is shown as Lot 3, Block 5322, on the plan.



LEGEND

1. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

2. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

3. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

4. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

5. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

6. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

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9. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

10. THE AREA OF THE PROPOSED LOT 3, BLOCK 5322, IS SHOWN AS LOT 3, BLOCK 5322, ON THE PLAN.

ISA  
 LEON S. AVAKIAN, INC.  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 2342

TOWNSHIP OF NEPTUNE  
 CONVEYANCE OF A PORTION OF  
 SOUTH RIVERSIDE DRIVE  
 TO LOT 3 BLOCK 5322  
 IN THE  
 TOWNSHIP OF NEPTUNE, MON. CO., NJ

ISA  
 LEON S. AVAKIAN, INC.  
 PROFESSIONAL ENGINEER  
 LICENSE NO. 2342

PETER R. AVAKIAN, P.E., 8 P.L.S.  
 PROFESSIONAL LAND SURVEYOR  
 LICENSE NO. 2342

DATE: 9-1-18

GRAPHIC SCALE  
 1 inch = 40 feet

REV. DESCRIPTION BY DATE

SHARK RIVER

LOT 3, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

LOT 4, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

LOT 5, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

LOT 6, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

LOT 7, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

LOT 8, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

LOT 9, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

LOT 10, BLOCK 5322  
 64,502.385 S.F. 1.489 AC.

RESOLUTION #18-293 - 9/10/18

AUTHORIZE APPLICATION TO THE MONMOUTH COUNTY  
MUNICIPAL OPEN SPACE PROGRAM

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and,

WHEREAS, the Governing Body of the Township of Neptune desires to obtain County Open Space Trust Funds in the amount of \$250,000.00 to fund the project known as "Multi-Purpose Field at Welsh Farms" located at 703 Old Corlies Avenue, also known as Block 3001, Lot 14; and,

WHEREAS, the total cost of the project including all matching funds is \$606,677.50; and,

WHEREAS, the Township of Neptune is the owner of and controls the project site,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune as follows:

1. Michael J. Bascom, Chief Financial Officer, or his successor, is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Township of Neptune is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Michael J. Bascom, Chief Financial Officer, or his successor, is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust Funds; and
5. This resolution shall take effect immediately.

CERTIFICATION

I, Richard J. Cuttrell, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Township of Neptune at a meeting held on the 10<sup>th</sup> day of September, 2018. In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 10th day of September, 2018.

---

Richard J. Cuttrell,  
Municipal Clerk



RESOLUTION #18-294 - 9/10/18

PLACE LIEN ON VARIOUS PROPERTIES

WHEREAS, Ordinance #843 of the Township of Neptune states that where a violation or condition exists on any property in the Township of Neptune that is of such a nature as to constitute an immediate threat to life, health, safety and the well being of residents in this township unless abated without delay, the Code Enforcement Supervisor may abate the violation or condition immediately or order the owner, operator or occupant to correct the violation or condition within a three-day period; and

WHEREAS, the Code Enforcement Supervisor determined that the condition of the properties listed below constituted such a threat; and,

WHEREAS, the Code Enforcement Supervisor has notified the Township Committee of the Township of Neptune that the owners of said property have failed to correct the condition/violation as ordered; and

WHEREAS, the Code Enforcement Supervisor has had the condition corrected in accordance with Article IV, Section 6.2 (a) of Ordinance #843 at a total cost as indicated below,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Tax Collector be and is hereby authorized to place the following costs as a lien against the following properties; and,

<u>BLOCK/LOT</u>	<u>ADDRESS</u>	<u>AMOUNT</u>
605/15	213 Myrtle Avenue	\$ 270.00
5404/2	10 Fulton Place	270.00
617/20	425 Drummond Avenue	270.00
406/1	1228 9 <sup>th</sup> Avenue	388.10
3903/13	3501 Route 66	1,818.10
4912/4	400 Overlook Drive	7,365.00

BE IT FURTHER RESOLVED, that a copy of this resolution along with the Code Enforcement Supervisor's report be forwarded to the Tax Collector.

RESOLUTION #18-295 - 9/10/18

ACCEPT THE RESIGNATION OF SEAN AREIA AS  
ASSISTANT ENGINEER IN THE ENGINEERING DEPARTMENT

WHEREAS, the Human Resources Director has received a letter from Sean Areia resigning as an Assistant Engineer in the Engineering Department effective September 7, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Sean Areia as an Assistant Engineer in the Engineering Department is hereby accepted effective September 7, 2018; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Township Engineer, Assistant C.F.O., and Human Resources Director.

RESOLUTION #18-296 - 9/10/18

ACCEPT THE RESIGNATION OF JULIE SOLEIL AS A  
MEMBER OF THE ENVIRONMENTAL/SHADE TREE COMMISSION

WHEREAS, the Environmental/Shade Tree Commission Secretary has received a letter from Julie Soleil resigning as a member of the Environmental/Shade Tree Commission effective August 14, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Julie Soleil as a member of the Environmental/Shade Tree Commission is hereby accepted effective August 14, 2018; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Environmental/Shade Tree Commission Secretary.

RESOLUTION #18-297 – 9/10/18

AUTHORIZE THE EXECUTION OF A COMMODITY RESALE AGREEMENT  
WITH THE COUNTY OF MONMOUTH

WHEREAS, *N.J.A.C. 5:34-7.15* authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and,

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (SYSTEM IDENTIFIER 99174 – MCCRS), for the period of September 30, 2018 through September 30, 2023; and,

WHEREAS, it would be in the best interest of this Municipality to remain a member of the Monmouth County Commodity Resale System for that period,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Municipal Clerk be and they are hereby authorized to execute the a Commodity Resale Agreement, a copy of which is on file with the Municipal Clerk, with the County of Monmouth; and,

BE IT FURTHER RESOLVED, that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to the Office of Shared Services, County of Monmouth, Hall of Records Annex, First Floor, 1 East Main Street, Freehold, New Jersey 07728.

RESOLUTION #18-298 – 9/10/18

AUTHORIZE THE EXECUTION OF A SHARED SERVICES AGREEMENT  
WITH THE COUNTY OF MONMOUTH FOR VARIOUS PUBLIC WORKS  
SERVICES ON AN AS NEEDED BASIS

WHEREAS, the County of Monmouth has offered the Township mutual assistance/shared Public Works services for use on an as-needed basis; and,

WHEREAS, the Township of Neptune and the County of Monmouth desire to enter into a Shared Services Agreement pursuant to the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. to serve the best interests of residents of the Township of Neptune; and,

WHEREAS, the County will provide such services as requested by the Township and the cost will be determined by the extent to the which the Township avails itself of the services available with the understanding that payment to the County is limited to the extent of the County's cost in providing the service; and,

WHEREAS, this Agreement shall be effective for ten (10) years from October 1, 2018 until September 30, 2028,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby authorizes the execution of a Shared Services Agreement with the County of Monmouth, a copy of which is on file in the Office of the Municipal Clerk, for County Public Works services on an as-needed basis as requested by the Township; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Public Works Director and the County of Monmouth.

RESOLUTION #18-299 - 9/10/18

APPOINT SCHOOL CROSSING GUARDS FOR THE 2018-2019 SCHOOL YEAR

WHEREAS, there is a need for School Crossing Guards for the 2018-2019 school year; and,

WHEREAS, the Chief of Police and Human Resources Director have made their recommendation to rehire certain crossing guards that served during the 2017-2018 school year; and,

WHEREAS, funds for this purpose are available in the 2018 municipal budget in the appropriation entitled Police S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following be and they are hereby reappointed as School Crossing Guards for the 2018-2019 school year and to perform such other duties as prescribed by the Chief of Police, at an hourly rate established by prior Resolution of the Township Committee:

Thomas Blewitt, Sr.	William Bloxon	Jeffrey Brenan	Derrick Coleman
Carmelo Gonzalez	Gail Hepburn	Josephine Hughes	Juanita Jones
Kathryn Kelly	Fred Kern	Rosalee Lane	Rita Lee
Carol McDonald	Barbara McGuire	Everett Mitchell	Chester Moreski
Pam Moreski	Loren Moses	Amelia Okpanachi	Robert Perkins
Roseann Rode	Caroline Vandervort	Felece Weedon	Avis Williams
Alfreda Wright			

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Chief Financial Officer, Assistant C.F.O and Human Resource Director.

RESOLUTION #18-300 - 9/10/18

REAPPOINT SPECIAL LAW ENFORCEMENT OFFICERS  
IN THE POLICE DEPARTMENT ON A PART-TIME BASIS

WHEREAS, in accordance with state regulations, it is required that existing Special Law Enforcement officers be reappointed on an annual basis; and,

WHEREAS, the Chief of Police has made his recommendation on the reappointment of existing Special Law Enforcement Officers; and,

WHEREAS, funds will be provided in the 2018 municipal budget in the appropriation entitled Police S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby reappointed as part-time Special Law Enforcement Officers (SLEO) and to perform such other duties as prescribed by the Chief of Police, for the period September 1, 2018 through August 31, 2019, at an hourly rate as established by prior resolution of the Township Committee:

SLEO Class I – Kristen Narciso, Jacob Hartranft, Syessence Davis, Jaheem Woods, Bryan Jones, and Aidan Supp

SLEO Class II – John Mattia, William Fabian, Darrell Furman, George Corbin, Joseph Siciliano, Richard Cuttrell, Louis Esposito, Morgan Holland, Charles Theodora, Marcus Neal, Michael Jones, Kyle Pelech, Daniel Wendel, Terrell Brown, Brad Dougherty, and Andrew Todd

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Chief Financial Officer, Assistant C.F.O., and Human Resources Director.

RESOLUTION #18-301 - 9/10/18

RENEW LIQUOR LICENSE HELD BY VPK, INC. T/A ALPHA LIQUORS  
FOR THE 2018-2019 LICENSING YEAR

WHEREAS, VPK, Inc. is the holder of a retail consumption liquor license 1334-44-022-002; and filed the required application for license renewal for the 2018-2019 licensing term; however, a tax clearance certificate was not provided; and,

WHEREAS, in accordance with state statute, a municipality cannot renew a liquor license without a tax clearance certificate for the corporation holding the license; and,

WHEREAS, the Division of Taxation issued a Tax Clearance Certificate for VPK, Inc. dated August 17, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Plenary Retail Distribution Liquor License known as 1334-44-022-002 be renewed to VPK, Inc. t/a Alpha Liquors, located at 1515 West Lake Avenue for the 2018-2019 licensing year under the following condition (continued from the prior licensing period):

Hours of operation will be limited to no later than 10:00 p.m. every day of the week

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Division of Alcoholic Beverage Control and the License Holder.



RESOLUTION #18-302 - 9/10/18

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 033

WHEREAS, Khaled Elsayed is the owner of Neptune Township Taxi Medallion No. 033; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Sheldon Edwards of 5 Stars Transportation,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 033 to Sheldon Edwards of 5 Stars Transportation; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal Clerk.

RESOLUTION #18-303 - 9/10/18

AUTHORIZE CHANGE ORDER #2 (FINAL) IN CONNECTION WITH  
MUNICIPAL COMPLEX ROOF PROJECT

WHEREAS, on October 18, 2017, a contract was awarded to MAK Group, Inc. in the amount of \$882,800.00 in connection with the Municipal Complex roof project; and,

WHEREAS, on January 22, 2018, the Township Committee adopted Resolution #18-73, to authorize Change Order #1 which increased the contract amount by \$39,020.00; and,

WHEREAS, a change to the contract has been experienced as a result of final as-built quantities; and,

WHEREAS, this change has been approved by the Township Engineer,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #2 (final) in the contract with MAK Group, Inc. in connection with the Municipal Complex roof project resulting in a net decrease of \$15,834.02 revising the total contract amount to \$905,985.98; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor, Chief Financial Officer; Assistant C.F.O. and Township Engineer.

RESOLUTION #18-304 - 9/10/18

SUPPORT LEFT TURN PROHIBITIONS AT INTERSECTIONS OF ROUTE 33 AND STANLEY AVENUE AND ROUTE 33 AND DAVIS AVENUE AS APPROVED BY THE NEW JERSEY DEPARTMENT OF TRANSPORTATION STREET INTERSECTION PERMITS S-33-C-9716-2016 AND S-33-C-9715-2016

WHEREAS, the New Jersey Department of Transportation (NJDOT) recently approved street intersection permits in connection with the Jersey Shore University Medical Center's (Developer's) HOPE Tower project and the Developer is constructing roadway improvements along Route NJ 33 (Corlies Avenue) in accordance with NJDOT approved plans the vicinity of Jersey Shore University Medical Center; and,

WHEREAS, traffic islands and signage have recently been constructed at Stanley Avenue and Davis Avenue at their intersection with Route NJ 33 which prohibit the following movements; 1) left turns from westbound Route NJ 33 to Stanley Avenue; 2) left turns from northbound Stanley Avenue to Route NJ 33; 3) left turns from southbound Davis Avenue to Route NJ 33; and,

WHEREAS, the NJDOT determined that these Left Turn prohibitions are warranted and can be recommended for approval,

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth, State of New Jersey, that it supports the establishment of said Left Turn Prohibitions along Route NJ 33 in Neptune Township as recommended by NJDOT as follows:

Route NJ 33

Turn Prohibitions:

No person shall turn at the below described location as indicated:

<u>Intersection</u>	<u>Turn Prohibited</u>	<u>Movement Prohibited</u>
Route NJ 33 (Corlies Avenue) and Stanley Avenue	Left Turns	Westbound Route NJ 33 to Stanley Avenue
Route NJ 33 (Corlies Avenue) and Stanley Avenue	Left Turns	Northbound Stanley Avenue to Route NJ 33
Route NJ 33 (Corlies Avenue) and Davis Avenue	Left Turns	Southbound Davis Avenue to Route NJ 33

Repealer Clause: The Township of Neptune concurs that any approved regulation(s) in conflict with or are inconsistent with the provision of the Resolution be rescinded upon approval of the Traffic Regulation Order.

I, Richard J. Cuttrell, do hereby certify that the foregoing is a true copy of a resolution adopted by the Township Committee of the Township of Neptune at a meeting held on the 10<sup>th</sup> of September, 2018.

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Richard J. Cuttrell,  
Municipal Clerk

RESOLUTION #18-305 - 9/10/18

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH THE  
TREMONT DRIVE FORCE MAIN REPLACEMENT PROJECT

WHEREAS, on May 24, 2018, a contract was awarded to Jo-Med Contracting in the amount of \$392,590.10 in connection with the Tremont Drive Force Main Replacement Project; and,

WHEREAS, a change to the contract has been experienced as a result of removing and replacing a seventeen (17) foot manhole as opposed to a standard eight (8) foot manhole; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 18-07 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Jo-Med Contracting in connection with the Tremont Drive Force Main Replacement Project resulting in a net increase of \$31,868.52 revising the total contract amount to \$424,458.62; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor, Chief Financial Officer; Assistant C.F.O. and Township Engineer.

RESOLUTION #18-306 - 9/10/18

AUTHORIZE CHANGE ORDER #1 IN CONNECTION WITH  
IMPROVEMENTS TO LOFFREDO FIELD

WHEREAS, on April 9, 2018, a contract was awarded to Precise Construction in the amount of \$442,835.10 in connection with Improvements to Loffredo Field; and,

WHEREAS, a change to the contract has been experienced as result of replacing a broken pump in the existing irrigation well; and,

WHEREAS, this change has been approved by the Township Engineer; and,

WHEREAS, funds for this purpose are available in Ordinance No. 16-08 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the Mayor and Clerk be and are hereby authorized to execute Change Order #1 in the contract with Precise Construction in connection with Improvements to Loffredo Field resulting in a net increase of \$6,127.00 revising the total contract amount to \$448,962.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Contractor, Chief Financial Officer; Assistant C.F.O. and Township Engineer.

RESOLUTION #18-307 - 9/10/18

ACCEPT THE RESIGNATION OF BLAKE AHERN AS A  
DRIVER IN THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Human Resources Director has received a letter from Blake Ahern resigning as a Driver in the Public Works Department effective Spetember 7, 2018,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the resignation of Blake Ahern as a Driver in the Public Works Department is hereby accepted effective Spetember 7, 2018; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Public Works Director, Assistant C.F.O., and Human Resources Director.

RESOLUTION #18-308 - 9/10/18

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 007

WHEREAS, Bashir Malik is the owner of Neptune Township Taxi Medallion No. 007; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Sheldon Edwards of 5 Stars Transportation,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 007 to Sheldon Edwards of 5 Stars Transportation; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal Clerk.

RESOLUTION #18-309 - 9/10/18

APPROVE THE TRANSFER OF TAXI MEDALLION LICENSE NO. 011

WHEREAS, Afir Ali is the owner of Neptune Township Taxi Medallion No. 011; and,

WHEREAS, he has notified the Taxi License Coordinator of the intent to sell and transfer ownership of said medallion to Ibrahim Abdo-Abdelwahed of Royal Transit, LLC,

WHEREAS, the Taxi License Coordinator has certified that all requirements of transfer have been satisfied,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that approval is hereby granted for the transfer of Taxi Medallion License No. 011 to Ibrahim Abdo-Abdelwahed of Royal Transit, LLC; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Taxi License Coordinator and Municipal Clerk.



RESOLUTION #18-310 - 9/10/18

EMPLOY TEMPORARY SEASONAL PERSONNEL  
IN THE DEPARTMENT OF PUBLIC WORKS

WHEREAS, the Township has a need to employ seasonal workers in the Department of Public Works for the leaf collection season; and,

WHEREAS, the Director of Public Works and Human Resources Director have forwarded their recommendations; and,

WHEREAS, funds for this purpose are available in the 2018 Municipal Budget in the appropriation entitled Solid Waste Collection S&W, and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following individuals be and are hereby employed in the Department of Public Works as temporary seasonal employees to perform various tasks within the Department, from September 4, 2018 to December 15, 2018, not to exceed forty (40) hours per week, at a salary of \$15.00 per hour with no health benefits:

Brandon Cottman  
Ryan Balzarano

John Fritz, Jr.  
Thomas Jones

Sy'Kear Westbrook  
Javon Hinds

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Assistant C.F.O., Human Resources Director and the Director of Public Works.

RESOLUTION #18-311 - 9/10/18

APPOINT ALTERNATE MEMBER TO THE WESLEY LAKE COMMISSION

WHEREAS, there is a vacancy in Neptune Township's alternate member position to the Wesley Lake Commission,

BE IT RESOLVED, that the Township Committee hereby appoints Rev. Beth Whalley Mitchell to the Wesley Lake Commission for an unexpired three year term expiring December 31, 2018; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Wesley Lake Commission.

RESOLUTION #18-312 - 9/10/18

EMPLOY ON-CALL PART-TIME YARD ATTENDANTS IN THE  
DEPARTMENT OF PUBLIC WORKS

WHEREAS, there is a need for two additional on-call, part-time Yard Attendants in the Public Works Department; and,

WHEREAS, the position was posted and the Public Works Director and Human Resources Director have made their recommendations; and,

WHEREAS, funds will be provided in the 2018 Municipal Budget in the appropriation entitled Solid Waste Collection S&W and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby extends an offer of employment to Lionel Hernandez and Jeffrey Brennan as on-call part-time Yard Attendants in the Department of Public Works effective immediately, contingent upon favorable results of the required pre-employment screening and background check as applicable, at an hourly salary of \$15.38; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Public Works Director, Chief Financial Officer, Assistant C.F.O., and Human Resources Director.

RESOLUTION #18-313 – 9/10/18

AUTHORIZE SUBORDINATION, ATTORNMENT AND NON-DISTURBANCE AGREEMENT  
BETWEEN NEPTUNE TOWNSHIP AND THE STATE OF NEW JERSEY

WHEREAS, on June 13, 2005, Cityworks West Lake, LLC, as a Redeveloper, entered into a Redevelopment Agreement with Neptune Township with regard to the West Lake Avenue Redevelopment Area, and then entered into a Lease Agreement with Neptune Township as a Tenant on property located at 1800-1836 West Lake Avenue, Neptune Township, New Jersey, subject to the terms of the Lease Agreement dated September 22, 2008; and

WHEREAS, West Lake Neptune, LLC and West Lake Neptune II, LLC, located at 250 Moonachie Road, Suite 302, Moonachie, New Jersey, purchased the subject property and succeeded to the interest of Cityworks Neptune Office, LLC as Landlord of the subject property; and

WHEREAS, West Lake Neptune, LLC and West Lake Neptune II, LLC had received financing for the purchase of the subject property from Natixis Real Estate Capital, LLC, which required that Neptune Township, as the Tenant to the subject property execute a Subordination, Attornment and Non-Disturbance Agreement for financing to take place, requiring the Lease Agreement between Neptune Township and West Lake Neptune, LLC and West Lake Neptune II, LLC to be subject and subordinate to the terms of the Mortgage and Mortgage Lien obtained by Natixis Real Estate Capital, LLC, which said Subordination Agreement was approved by the Mayor and Township Committee of Neptune Township on November 9, 2017 and duly executed; and

WHEREAS, the owner has requested that the State of New Jersey agree to subordinate their lease to the mortgage aforesaid under the provisions, covenants, terms and conditions hereinafter set forth, and that therefore, the Township of Neptune should also sign said Subordination Agreement as the Prime Tenant under the Prime Lease between West Lake Neptune, LLC and West Lake Neptune II, LLC.

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth and State of New Jersey, that the governing body hereby authorizes the Mayor and Clerk to execute and acknowledge execution of a Subordination, Attornment and Non-disturbance Agreement with the State of New Jersey, Division of Property Management and Construction.; and,

BE IT FURTHER RESOLVED, that a certified copy of this resolution be sent to the Township Attorney and to the NJ Division of Property Management and Construction.

RESOLUTION #18-314 - 9/10/18

AUTHORIZE THE EXECUTION OF AN AGREEMENT WITH THE PASSAIC VALLEY  
SEWERAGE COMMISSION TO PARTICIPATE IN THE NORTH JERSEY  
WASTEWATER COOPERATIVE PRICING SYSTEM

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and,

WHEREAS, the Passaic Valley Sewerage Commission has offered voluntary participation in the North Jersey Wastewater Cooperative Pricing System for the purchase of goods and services; and,

WHEREAS, this Cooperative Pricing System is to effect substantial economies in the provision and performance of goods and services; and,

WHEREAS, the Township Committee of the Township of Neptune, County of Monmouth, duly considered participation in this Cooperative Pricing System for the provision and performance of goods and services,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune, County of Monmouth as follows:

1) Pursuant to the provisions of N.J.S.A. 40A:11-11(5), the Mayor is hereby authorized to enter into and execute a Cooperative Pricing Agreement with the Passaic Valley Sewerage Commission for participation in the North Jersey Wastewater Cooperative Pricing System.

2) The Passaic Valley Sewerage Commission shall be responsible for complying with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.) and all other provisions of the revised statutes of the State of New Jersey.

3) This resolution shall take effect immediately upon passage.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Public Works Director and Assistant C.F.O.

RESOLUTION #18-315 - 9/10/18

AUTHORIZE THE PURCHASE OF A FORD POLICE INTERCEPTOR SUV THROUGH  
THE CRANFORD COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Police Department has recommended the purchase of a 2019 Ford Police Interceptor SUV through an authorized vendor under the Cranford Township Cooperative, #47-CPCPS State of New Jersey approved cooperative; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Beyer Ford has been awarded Cranford Township Cooperative #47-CPCPS, for this vehicle; and,

WHEREAS, the Chief Financial Officer and Purchasing Agent recommend the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of the vehicle shall not exceed \$30,000.00; and,

WHEREAS, funds for this purpose are available through the 2018 municipal budget in the appropriation entitled Police O.E. and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a 2018 Ford Police Interceptor SUV for the Police Department through the Cranford Cooperative, #47-CPCPS, State of New Jersey approved cooperative, be and is hereby authorized at an amount not to exceed \$30,000.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police, Chief Financial Officer, Assistant C.F.O. and Auditor.

RESOLUTION #18-316 - 9/10/18

AUTHORIZE THE UPFIT OF THREE FORD POLICE INTERCEPTORS  
THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, it is necessary to upfit three Ford Police Interceptor SUVs, previously authorized for purchase by resolution, utilizing pricing through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, General Sales Administration t/a Major Police Supply has been awarded New Jersey State Contract No. 81330 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost to upfit all three vehicles shall not exceed \$35,586.98; and,

WHEREAS, funds for this purpose are available from Ordinance No. 17-32 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the upfit of three Ford Police Interceptor SUVs through New Jersey Cooperative Purchasing Program Contract No. 81330 be and is hereby authorized at an amount not to exceed \$35,586.98; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Chief of Police, Assistant C.F.O. and Auditor.

RESOLUTION #18-317 - 9/10/18

AUTHORIZE THE PURCHASE OF AMMUNITION SUPPLIES  
THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Police Department has recommended the purchase of ammunition supplies through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Eagle Point/TJ Morris & Son has been awarded New Jersey State Contract No. 81296 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of the equipment shall not exceed \$18,753.48; and,

WHEREAS, funds for this purpose are available in the 2018 municipal budget in the appropriation entitled Police O.E. and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of ammunition supplies for the Police Department through New Jersey Cooperative Purchasing Program Contract No. 81296 be and is hereby authorized at an amount not to exceed \$18,753.48; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Chief of Police, Assistant C.F.O. and Auditor.



RESOLUTION #18-318 - 9/10/18

AUTHORIZE THE PURCHASE AND INSTALLATION OF FENCING AT THE LOFFREDO  
FIELD COMPLEX THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Engineering Department has recommended the purchase and installation of five foot ornamental fencing at the Loffredo Field Complex through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, E.B. Fence, LLC has been awarded New Jersey State Contract No. 88679 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of the equipment shall not exceed \$59,854.23; and,

WHEREAS, funds for this purpose are available in Ordinance No. 16-08 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase and installation of five foot ornamental fencing at the Loffredo Field Complex through New Jersey Cooperative Purchasing Program Contract No. 88679 be and is hereby authorized at an amount not to exceed \$59,854.23; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, Township Engineer, Assistant C.F.O. and Auditor.

RESOLUTION #18-319 - 9/10/18

AUTHORIZE THE PURCHASE OF APX MOBILE RADIOS THROUGH  
THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management has recommended the purchase of three (3) APX mobile radios through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Allcomm Technologies has been awarded New Jersey State Contract No. 83909 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of the equipment shall not exceed \$26,132.25; and,

WHEREAS, funds for this purpose are available in Ordinance No. 16-27 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of three (3) APX mobile radios for the Office of Emergency Management through New Jersey Cooperative Purchasing Program Contract No. 83909 be and is hereby authorized at an amount not to exceed \$26,132.25; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, O.E.M. Director, Assistant C.F.O. and Auditor.

RESOLUTION #18-320 - 9/10/18

AUTHORIZE THE PURCHASE OF HARRIS MULTI-BAND PORTABLE RADIOS  
AND PORTABLE RADIO PACKAGES THROUGH THE  
STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management has recommended the purchase of five (5) Harris Multi-Band portable radios and six (6) portable radio packages through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, PMC Associates, Inc. has been awarded New Jersey State Contract No. 83900 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost of the radios shall not exceed \$26,798.00 and the cost of the portable radio packages shall not exceed \$18,036.00; and,

WHEREAS, funds for this purpose are available in Ordinance No. 17-31 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of (5) Harris Multi-Band portable radios and six (6) portable radio packages for the Office of Emergency Management through New Jersey Cooperative Purchasing Program Contract No. 83900 be and is hereby authorized at an amount not to exceed \$26,798.00 for the radios and \$18,036.00 for the portable radio packages; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, O.E.M. Director, Assistant C.F.O. and Auditor.

RESOLUTION #18-321 - 9/10/18

AUTHORIZE THE PURCHASE OF A FIRST DEFENDER CHEMICAL IDENTIFICATION SYSTEM THROUGH THE STATE COOPERATIVE PURCHASING PROGRAM

WHEREAS, the Office of Emergency Management has recommended the purchase of a First Defender RM/RMX S1 Chemical Identification System with accompanying warranty, support, and training through an authorized vendor under the State of New Jersey Cooperative Purchasing Program 1-NJCP; and,

WHEREAS, the purchase of goods and services by local contracting units is authorized by the Local Public Contracts Laws, N.J.S. 40A:11-12; and,

WHEREAS, Pine Environmental Solutions, LLC has been awarded New Jersey State Contract No. 85082 for this equipment; and,

WHEREAS, the Chief Financial Officer recommends the utilization of this contract on the grounds that the price reflects a substantial savings; and,

WHEREAS, the cost this equipment shall not exceed \$43,050.00; and,

WHEREAS, funds for this purpose are available in Ordinance No. 16-27 and the Chief Financial Officer has so certified in writing,

THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Neptune that the purchase of a First Defender RM/RMX S1 Chemical Identification System with accompanying warranty, support, and training for the Office of Emergency Management through New Jersey Cooperative Purchasing Program Contract No. 85082 be and is hereby authorized at an amount not to exceed \$43,050.00; and,

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief Financial Officer, O.E.M. Director, Assistant C.F.O. and Auditor.

RESOLUTION #18-322 - 9/10/18

AUTHORIZE AN AMENDMENT TO THE 2018 MUNICIPAL BUDGET TO REALIZE  
MONIES FROM THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL  
PROTECTION – CLEAN COMMUNITIES PROGRAM

WHEREAS, N.J.S. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and,

NOW, THEREFORE, BE IT RESOLVED, that the Township Committee of the Township of Neptune hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget for the year 2018 in the sum of \$63,505.49 which is now available from the NJDEP Clean Communities Program in the amount of \$63,505.49; and,

BE IT FURTHER RESOLVED that the like sum of \$63,505.49 is hereby appropriated under the caption of NJDEP – Clean Communities Program 2018; and,

BE IF FURTHER RESOLVED, that the above is the result of funds from the New Jersey Department of Environmental Protection Clean Communities Program in the amount of \$63,505.49; and,

BE IT FURTHER RESOLVED, that the Clerk forward three certified copies of this resolution to the Chief Financial Officer and one copy to the Assistant C.F.O., and Auditor.

Vote:

Brantley:

Lane:

McMillan:

Rizzo:

Williams:

RESOLUTION #18-323- 9/10/18

AUTHORIZE APPEAL OF SUPERIOR COURT OF NEW JERSEY  
DECISION ON LEGAL FEES CONCERNING ELENA GONZALEZ

WHEREAS, the attorney for Elena Gonzalez made an OPRA request for records/Turner Report, which had already been released to the public; and,

WHEREAS, Elena Gonzalez brought a lawsuit under OPRA in the Superior Court of New Jersey, Law Division, under Docket No. L-461-18 alleging that the Turner Report should have been released sooner under OPRA and the Common Law; and

WHEREAS, the Hon. Lisa P. Thornton, P.J.S.C. rendered a decision on August 1, 2018, which found that the documents sought were indeed exempt from disclosure under OPRA, and it should not have been released under OPRA, but based on the Common Law Claim, which requires a balancing of hardships and public interest and a fact sensitive request, the Turner Report should have been released sooner, that partial legal fees should be granted to the Plaintiff under the Common Law; and,

WHEREAS, counsel for the Township has advised the governing body that although there is a legal fee shifting requirement in the case of OPRA, that there is no such fee shifting requirement under the Common Law, and that the Plaintiff is not entitled to legal fees in the instant matter; and,

WHEREAS, Neptune Township is in the process of filing a Motion for Reconsideration with regard to the assessment of legal fees, but needs authorization if unsuccessful, and chooses to file a Notice of Appeal, if appropriate, to the Appellate Division to address this case of first impression in involving legal fees under the Common Law; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes Michael R. Burns, Esq. of Grace, Marmero and Associates, LLP, who has been assigned to this matter since its inception, to file a Motion for Reconsideration on the question of legal fees with regard to the aforesaid case, and if unsuccessful, in his discretion and with authorization by the Township Committee, may file a Notice of Appeal before the Superior Court of New Jersey, Appellate Division to address the legal fee decision for release of the turner Report sooner, and the assessment of legal fees based on the "Common Law" alone, and the decision to release said Turner Report sooner requiring balancing of the interest of the public and the privacy of an individual, which may be assessed differently from cases to case and Court to Court.

RESOLUTION #18-324- 9/10/18

AUTHORIZE APPEAL OF SUPERIOR COURT OF NEW JERSEY  
DECISION ON LEGAL FEES CONCERNING BRIAN BUTCH

WHEREAS, the attorney for Brian Butch made an OPRA request with regard to an investigative Report undertaken by Labor Counsel with regard to the Senior Center and Brian Butch's performance; and,

WHEREAS, Brian Butch's attorney brought a lawsuit in the Superior Court of New Jersey, Law Division, under Docket No. L-1109-18 seeking release of the Investigative Report both under OPRA and the Common Law; and

WHEREAS, the Hon. Lisa P. Thornton, P.J.S.C. rendered a decision on August 16, 2018, which found that the investigative report sought and not released by Neptune Township was indeed exempt from disclosure under OPRA, and it should not have been released under OPRA, but based on the Common Law Claim, which requires a balancing of hardships and public interest and a fact sensitive request, the Investigative Report should have released if properly redacted, and that partial legal fees should be granted to the Plaintiff under the common Law; and,

WHEREAS, legal counsel assigned to this matter for the Township has advised the governing body that although there is a legal fee shifting requirement in the case of OPRA, that there is no such fee requirement under the Common Law, and that the Plaintiff is not entitled to legal fees in the instant matter; and,

WHEREAS, Neptune Township is in the process of filing a Motion for Reconsideration with regard to the assessment of legal fees, but needs authorization if unsuccessful, and chooses to file a Notice of Appeal, if appropriate, to the Appellate Division to address this case of first impression in involving legal fees under the Common Law; and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee of the Township of Neptune, that the governing body hereby authorizes Michael R. Burns, Esq. of Grace, Marmero and Associates, LLP, who has been assigned to this matter since its inception, to file a Motion for Reconsideration on the question of legal fees with regard to the aforesaid case, and if unsuccessful, in his discretion and with authorization by the Township Committee, may file a Notice of Appeal before the Superior Court of New Jersey, Appellate Division to address the legal fee decision for release of the turner Report sooner, and the assessment of legal fees based on the "Common Law" alone, and the decision to release said document requiring balancing of the interest of the public and the privacy of an individual, which may be assessed differently from cases to case and Court to Court.

RESOLUTION #18-325 – 9/10/18

AUTHORIZE THE PAYMENT OF BILLS

BE IT RESOLVED, by the Township Committee of the Township of Neptune that the following bills be paid if properly certified:

CURRENT FUND	8,522,230.35
GRANT FUND	18,302.25
TRUST FUND	198,873.20
GENERAL CAPITAL FUND	3,098,262.44
SEWER OPERATING FUND	159,981.21
SEWER CAPITAL FUND	610,616.53
MARINA OPERATING FUND	100,515.26
MARINA CAPITAL FUND	532,151.25
LIBRARY TRUST	433.38
BILL LIST TOTAL	\$13,241,365.87

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Assistant C.F.O.